

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

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DOMINICA MANAGEMENT, INC.,	:	
	:	
Plaintiff,	:	File No. 04-CV-7675
	:	(Berman, J.)
v.	:	(Maas, M.J.)
	:	
AMERICAN UNIVERSITY OF ANTIGUA	:	
COLLEGE OF MEDICINE, NEAL S. SIMON	:	
And SOL WELTMAN,	:	NOTICE OF MOTION
	:	
Defendants.	:	

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PLEASE TAKE NOTICE, that upon the annexed affidavit of John T. St. James, sworn to on the 8th day of February, 2005, the exhibits annexed thereto, the memorandum of law served concurrently herewith, and upon all the pleadings and proceedings heretofore had herein, the undersigned will move this Court before the Honorable Frank Maas of the United States District Court, Southern District of New York, at the Courthouse located at 500 Pearl Street, in the City, County and State of New York, on March 11, 2005 at 9:30 a.m., or as soon thereafter as counsel can be heard, for an order pursuant to the Canons of Ethics disqualifying the law firm of Polatsek and Sclafani, and specifically Leonard A. Sclafani, from representing defendant Neal S. Simon in this action since Polatsek and Sclafani and its named partner, Leonard A. Sclafani, have represented plaintiff Dominica Management, Inc. and its affiliate Ross University in the past on matters

that substantially related to the issues in this case, and for such other and further relief as the Court deems just, proper and equitable.

PLEASE TAKE FURTHER NOTICE, that the plaintiff respectfully requests oral argument.

Dated: Garden City, New York
February 10, 2005

CULLEN AND DYKMAN LLP

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